

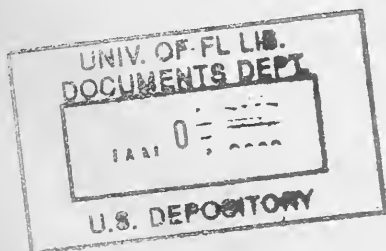
NATIONAL RECOVERY ADMINISTRATION

AMENDMENT TO
CODE OF FAIR COMPETITION

FOR THE

LUMBER AND TIMBER
PRODUCTS INDUSTRY

AS APPROVED ON SEPTEMBER 9, 1934



UNITED STATES
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Approved Code No. 9—Amendment No. 20

AMENDMENT TO CODE OF FAIR COMPETITION

FOR THE

LUMBER AND TIMBER PRODUCTS INDUSTRY

As Approved on September 9, 1934

ORDER

APPROVING AMENDMENTS TO CODE OF FAIR COMPETITION FOR THE LUMBER AND TIMBER PRODUCTS INDUSTRY

An application having been duly made pursuant to and in full compliance with the provisions of Title I of the National Industrial Recovery Act, approved June 16, 1933, for approval of Amendments submitted as Lumber Code Authority Amendments Nos. 60 and 61 to the Code of Fair Competition for the Lumber and Timber Products Industries, and hearings having been duly held thereon and the annexed report on said Amendments, containing findings with respect thereto, having been made and directed to the President:

NOW, THEREFORE, on behalf of the President of the United States, I, Hugh S. Johnson, Administrator for Industrial Recovery, pursuant to authority vested in me by Executive Orders of the President, including Executive Order No. 6543-A, dated December 30, 1933, and otherwise; do hereby incorporate, by reference, said annexed report and do find that said Amendments and the Code as constituted after being amended comply in all respects with the pertinent provisions and will promote the policy and purposes of said Title of said Act, and do hereby order that said Amendments be and they are hereby modified to include an approval of said Code in its entirety as amended, provided that if and when there is submitted for my approval an Amendment to said Code which provides for the creation of a Division of said Code applicable to wholesalers of lumber, irrespective of the species of such lumber or the manner of its transportation, the matter of transferring the California Water Distributors Subdivision of the West Coast Logging and Lumber Division to such new Division applicable to wholesalers of lumber, as a Subdivision of such Division, shall be submitted for my further consideration and order; and

Provided further, that this Order shall not become effective for a period of fifteen (15) days after the date hereof in order that consideration may be given to objections thereto, if any, by any inter-

ested parties; at the expiration of said period this Order shall become effective, unless I have, by my further order, otherwise determined.

HUGH S. JOHNSON,
Administrator for Industrial Recovery.

Approval recommended:

C. E. ADAMS,
Division Administrator.

WASHINGTON, D.C.,
September 9, 1934.

REPORT TO THE PRESIDENT

The PRESIDENT,
The White House.

SIR: Under the Code of Fair Competition for the Lumber and Timber Products Industries, as approved by you on August 19, 1933, the Lumber Code Authority has submitted its Amendments Nos. 60 and 61, which are included and attached.

This is a report on the Hearing on the foregoing Amendments conducted in the Carlton Room of the Carlton Hotel, Washington, D.C., on March 27 to March 30, 1934, in accordance with the provisions of the National Industrial Recovery Act.

These Amendments establish an Administrative Subdivision for California Water Distributors under the West Coast Logging and Lumber Division.

Approximately fifteen to twenty percent of the West Coast lumber is marketed through the California ports and the California Wholesalers' Lumber Association, the proponents of these Amendments, represent eighty percent of the volume of the lumber distributed in California.

The manufacturers and wholesalers engaged in distribution in this territory are closely inter-related and both are agreed that the Amendments will secure stabilization of the market and protect both manufacturers and distributors.

The Amendments also establish minimum wages of 40 cents in the South and 45 cents in the North, providing protection for several thousand laborers not now protected by the Code.

The Deputy Administrator in his final report to me on said Amendments to said Code having found as herein set forth and on the basis of all the proceedings in this matter;

I find that:

(a) The Amendments to said Code and the Code as amended are well designed to promote the policies and purposes of Title I of the National Industrial Recovery Act including the removal of obstructions to the free flow of interstate and foreign commerce which tend to diminish the amount thereof, and will provide for the general welfare by promoting the organization of industry for the purpose of cooperative action among trade groups, by inducing and maintaining united action of labor and management under adequate governmental sanction and supervision, by eliminating unfair competitive practices, by promoting the fullest possible utilization of the present productive capacity of industries, by avoiding undue restrictions of production (except as may be temporarily required), by increasing the consumption of industrial and agricultural products through increasing purchasing power, by reducing and relieving unemployment, by improving standards of labor, and by otherwise rehabilitating industry.

(b) The Code as amended complies in all respects with the pertinent provisions of said Title of said Act, including without limitation Subsection (a) of Section 3, Subsection (a) of Section 7 and Subsection (b) of Section 10 thereof.

(c) The Code empowers the Code Authority to present the aforesaid Amendments on behalf of the industry as a whole.

(d) The Amendments and the Code as amended are not designed to and will not permit monopolies or monopolistic practices.

(e) The Amendments and the Code as amended are not designed to and will not eliminate or oppress small enterprises and will not operate to discriminate against them.

(f) Those engaged in other steps of the economic process have not been deprived of the right to be heard prior to approval of said Amendments.

For these reasons, therefore, I have approved these Amendments to the Code.

Respectfully,

HUGH S. JOHNSON,
Administrator.

SEPTEMBER 9, 1934.

AMENDMENT TO CODE OF FAIR COMPETITION FOR THE LUMBER AND TIMBER PRODUCTS INDUSTRY

AMENDMENT No. 60.—In Article VII (d) in paragraph beginning “West Coast”, after the line “Fir Plywood 40.” add the following:

“California Water Distributors:

“California South of the 35th degree parallel . . . 40

“California North of the 35th degree parallel . . . 45”

AMENDMENT No. 61.—In Schedule “A” at the end of the Section, “16 (a) Intercoastal Distributors Subdivision” add the following new Section:

“16 (b). California Water Distributors Subdivision: Article II (c). The California Water Distributors Subdivision of the West Coast Logging and Lumber Division consists of persons engaged in the wholesale distribution of the products of the West Coast Logging and Lumber Division which are shipped to California by water transportation for sale in California and/or for transport by backhaul from California ports.

“Products: Article II (a). Douglas Fir, West Coast Hemlock, Sitka Spruce, Western Red Cedar and related species, except (1) logs, (2) poles and piling, (3) shingles, (4) woodwork, (5) hardwood flooring, (6) veneer, (7) plywood, (8) kiln dried hardwood dimension.

“Administrative Agency: Article III (d). The Administrative Agency for the California Water Distributors Subdivision shall consist of nine members, six of whom shall be elected by members of the California Wholesale Lumber Association, one of whom shall be elected by non-members of the said Association in the State of California, one of whom shall be elected by non-members of said Association in the State of Washington, and one of whom shall be elected by non-members of said Association in the State of Oregon. Within thirty (30) days after the effective date hereof, the California Wholesale Lumber Association shall call a meeting or meetings and conduct elections for the purpose of electing the members of the Administrative Agency of this Subdivision in accordance with the foregoing provisions. Due notice of the time and place of said elections shall be sent to every ascertainable person subject to the jurisdiction of this Subdivision in writing or by such other methods as are reasonably calculated to notify all interested parties of such elections. Said elections shall be conducted in a fair and equitable manner; each person subject to the jurisdiction of this Subdivision shall be entitled to one vote in person, by letter or by proxy.

“In the event that any or all of the non-association members of the Administrative Agency are not elected at said elections, the members of the Administrative Agency so elected may function as



the Administrative Agency of this Subdivision; provided that notice of this fact is immediately communicated to the Administrator and provided further that the Administrator, if he so elects, may appoint members of the Administrative Agency to represent the non-members of the Association in those states who have failed to elect their members of the Administrative Agency. Members of the Administrative Agency shall serve for terms of one year or until their successors shall have been elected.

“The Administrative Agency of this Subdivision is designated as the Agency of the Authority and of the West Coast Logging and Lumber Division of this Code. Said Administrative Agency is authorized to make such rules and regulations as are necessary to administer the Code in this Subdivision, subject to the approval of the West Coast Logging and Lumber Division and of the Authority, and may designate and authorize such agencies as may be necessary to administer the Code in this Subdivision. Said rules and regulations shall be published and submitted to the National Recovery Administration and shall become effective fifteen (15) days after the Administrator's receipt thereof unless prior to that date they shall have been disapproved by the Administrator.”

Approved Code No. 9—Amendment No. 20.
Registry No. 313-1-06.

